

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MOLLY MOON'S HOMEMADE ICE
CREAM LLC,

Plaintiff,

v.

CITY OF SEATTLE,

Defendant.

NO. 2:23-cv-00859-TSZ

STIPULATION AND [PROPOSED] ORDER
EXTENDING DEADLINE FOR DEFENDANT
TO RESPOND TO PLAINTIFF'S AMENDED
COMPLAINT

[NOTE ON MOTION CALENDAR:
JUNE 29, 2023]

STIPULATION

Plaintiff Molly Moon's Homemade Ice Cream LLC ("Molly Moon's") and Defendant City of Seattle hereby stipulate as follows:

WHEREAS, Molly Moon's filed a complaint in this action on June 7, 2023;

WHEREAS, the City was served on June 9, 2023;

WHEREAS, Molly Moon's filed an amended complaint in this action on June 28, 2023;

WHEREAS, the current deadline for the City to answer or otherwise respond to Molly Moon's' amended complaint is July 12, 2023;

WHEREAS, Molly Moon's' amended complaint alleges facts and claims that are substantially similar to the facts and claims alleged by plaintiff Oma Bap in *3Pak, LLC d/b/a Oma Bap v. City of Seattle*, Case No. 2:23-cv-00540-TSZ (W.D. Wash.) ("*Oma Bap*");

STIPULATION AND [PROPOSED] ORDER EXTENDING
DEADLINE TO RESPOND TO PLAINTIFF'S AMENDED
COMPLAINT - 1
(Case No. 2:23-cv-00859)

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WHEREAS, the City moved to dismiss plaintiff Oma Bap's complaint in *Oma Bap* and that motion is awaiting decision by this Court;

WHEREAS, the parties believe that the Court's ruling on the City's motion to dismiss in *Oma Bap* may clarify or affect the parties' claims and/or defenses in this case;

WHEREAS, the parties have stipulated to extend the deadline for the City to answer or otherwise respond to Molly Moon's' amended complaint from Friday, July 12, 2023 to Thursday, July 27, 2023; and

WHEREAS, the requested extension will not affect any other deadlines in the case;

NOW THEREFORE, the parties, through their respective counsel of record, do hereby stipulate and agree that the City's response to Molly Moon's' amended complaint will be due on or before July 27, 2023.

STIPULATED AND AGREED TO this 29th day of June, 2023.

MORGAN, LEWIS & BOCKIUS LLP

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By /s/ Gabriel Reilly-Bates

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Attorneys for Defendant City of Seattle

*Attorneys for Plaintiff Molly Moon's
Homemade Ice Cream LLC*

[PROPOSED] ORDER

Having considered the parties' stipulation, and good cause having been demonstrated, the Court hereby orders that the deadline for the City to answer or otherwise respond to Plaintiff Molly Moon's Homemade Ice Cream's amended complaint be extended to July 27, 2023.

IT IS SO ORDERED.

Dated this _____ day of _____, 2023.

The Honorable Thomas S. Zilly
United States District Judge

Presented by:

HARRIGAN LEYH FARMER & THOMSEN LLP

By: s/ Tyler L. Farmer

By: s/ Shane P. Cramer

By: s/ Erica Iverson

By: s/ Ashley D. Burman

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